



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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Seattle, WA 98101-3140

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OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-127

AUG 30 2011

Certified Mail Number 7011 0470 0002 9128 5469
Return Receipt Requested

James Cagle, Risk Manager - EHS
Nu-West Industries, Inc.
Agrium Conda Phosphate Operations
3010 Conda Road
Soda Springs, Idaho 83276

Re: Modification of Work Plan for Additional Requirements Schedule and Location of Well A-16;
Administrative Order on Consent for Nu-West CPO Facility; Docket No. RCRA-10-2009-0186

Dear Mr. Cagle:

The purpose of this letter is to approve two recent requests from Agrium Nu-West Industries Inc. ("Nu-West") to modify the Work Plan for Additional Requirements ("Work Plan").

Your August 10, 2011 email requested modification to the Work Plan schedule for completion of seismic surveys and subsequent confirmation borings, and your August 18, 2011 email proposed a revised draft schedule for seismic survey confirmation borings and aquifer pump testing.

EPA approves your request to modify the schedule for the completion of seismic surveys of no later than October 31, 2011, with the seismic survey results to be reported to EPA no later than December 31, 2011. EPA approves the revised draft schedule for seismic survey confirmation borings and aquifer pump testing, which was provided to EPA in your August 18, 2011 email. A copy of that schedule is enclosed with this letter.

Your August 3, 2011 email requested a change in location for up-gradient well A-16. EPA approves your request to revise this location. I had previously provided an approval by email on August 4, 2011 to your request to modify this location. This letter confirms that email approval. A copy of WSP drawing 00023229-005, which was provided by Nu-West, is enclosed with this letter.

The Work Plan will need to be revised to reflect these changes and copies of the revised document will need to be distributed per the requirements of paragraph 74 of the Administrative Order on Consent. Figure 3 of the Work Plan will need to be revised to reflect the changes in up-gradient borehole locations, as is indicated on WSP drawings 00023229-D01 and 00023229-005 which were provided to EPA on July 22, 2011 and August 3, 2011. Figure 4 of the Work Plan will need to be revised as well to reflect the revised project schedule, which was provided to EPA on August 18, 2011 via email. Please note that the schedule dates for Task C, shown on Page 1 of Figure 4 in the current Work Plan project schedule, will need to be corrected to be consistent with this approval.

FILE COPY

If you have any questions, feel free to call me at (206) 553-2964. Alternatively, you may reach me via email at: Magolske.Peter@epamail.epa.gov. Thank you for your attention to this important matter.

Sincerely,



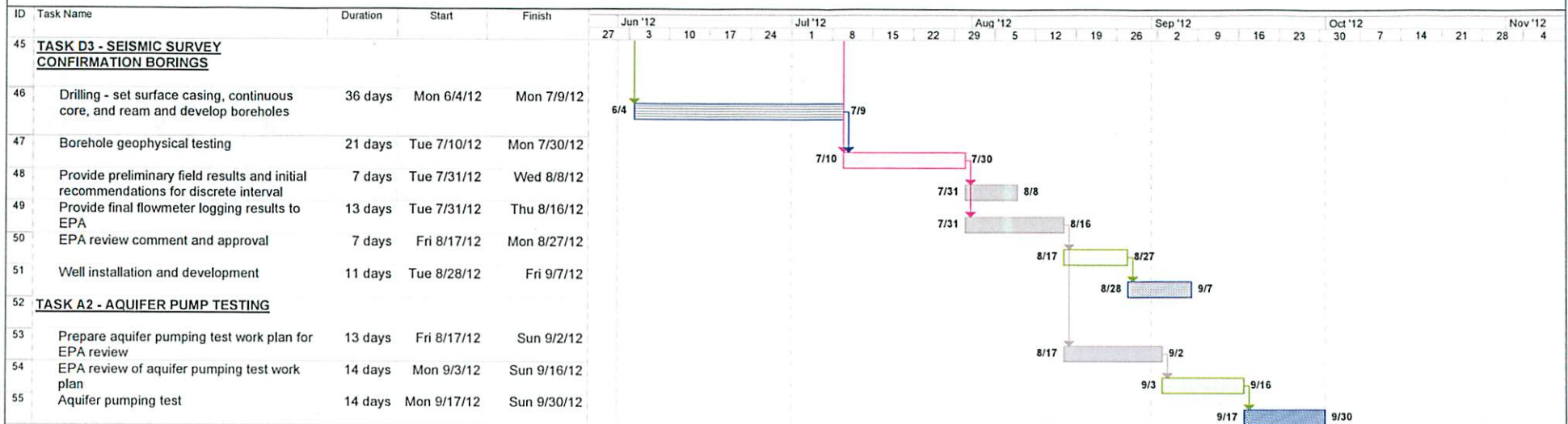
Peter Magolske
Air / RCRA Compliance Unit

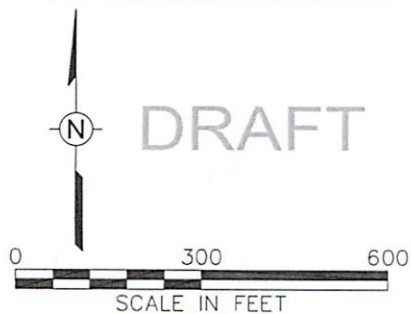
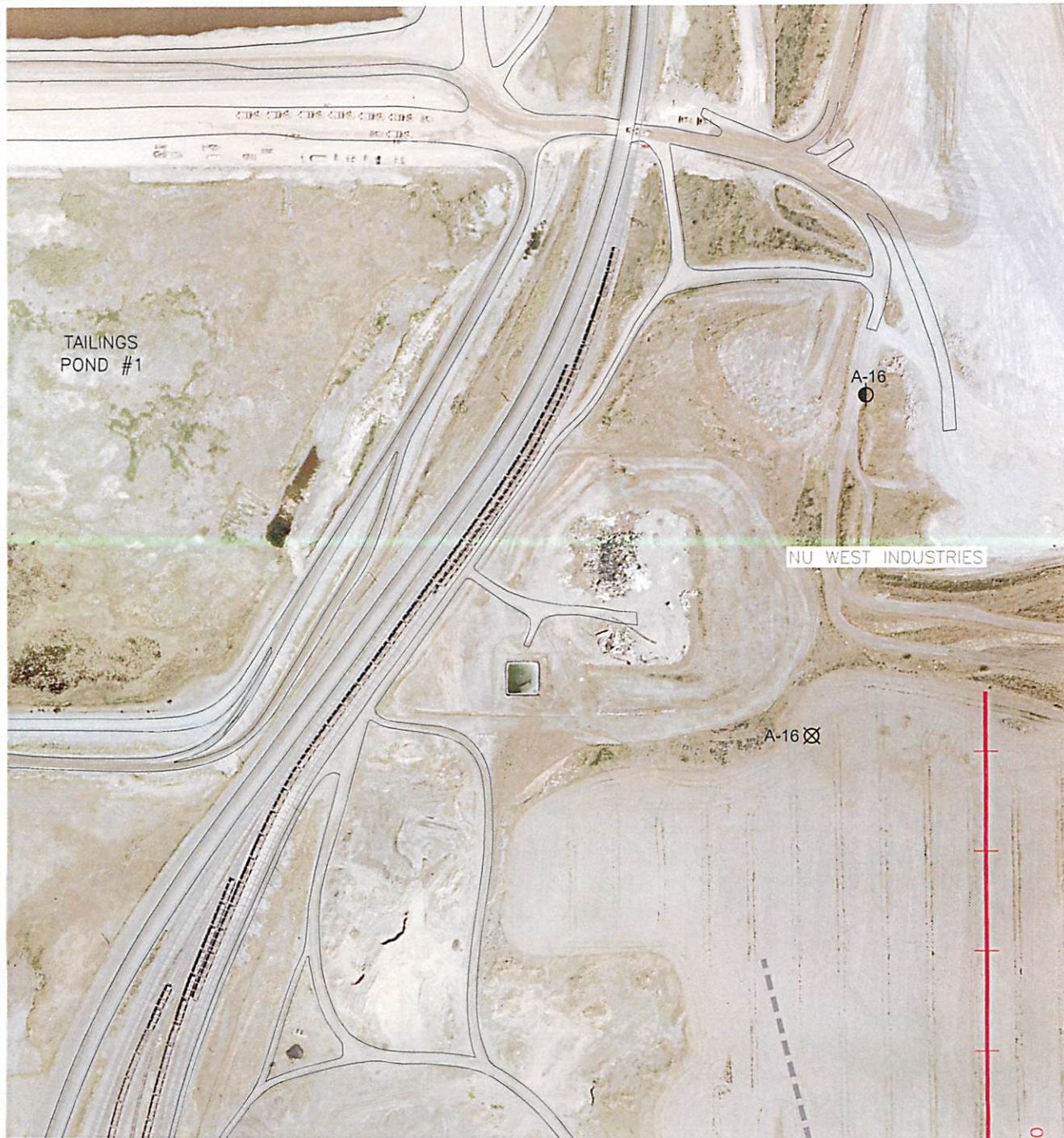
Enclosures

cc: Brian Monson
Idaho Department of Environmental Quality

P. Scott Burton
Esq. Hunton and Williams LLP

Figure 1 - Schedule for Additional Work Requirements - Field Components
(All durations are shown in calendar days)





DRAFT

LEGEND

- A-16 ● PREVIOUS LOCATION FOR WELL A-16
 A-16 X PROPOSED REVISED LOCATION FOR WELL A-16

PRIVILEGED AND CONFIDENTIAL
 ATTORNEY CLIENT COMMUNICATION
 ATTORNEY WORK PRODUCT

THE ORIGINAL VERSION OF THIS DRAWING IS IN COLOR. BLACK AND WHITE COPIES MAY NOT ACCURATELY DEPICT CERTAIN INFORMATION.

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Figure 1
 PROPOSED REVISED LOCATION FOR
 WELL A-16

NU-WEST CPO FACILITY
 SODA SPRINGS, IDAHO
 PREPARED FOR
 HUNTON & WILLIAMS

D

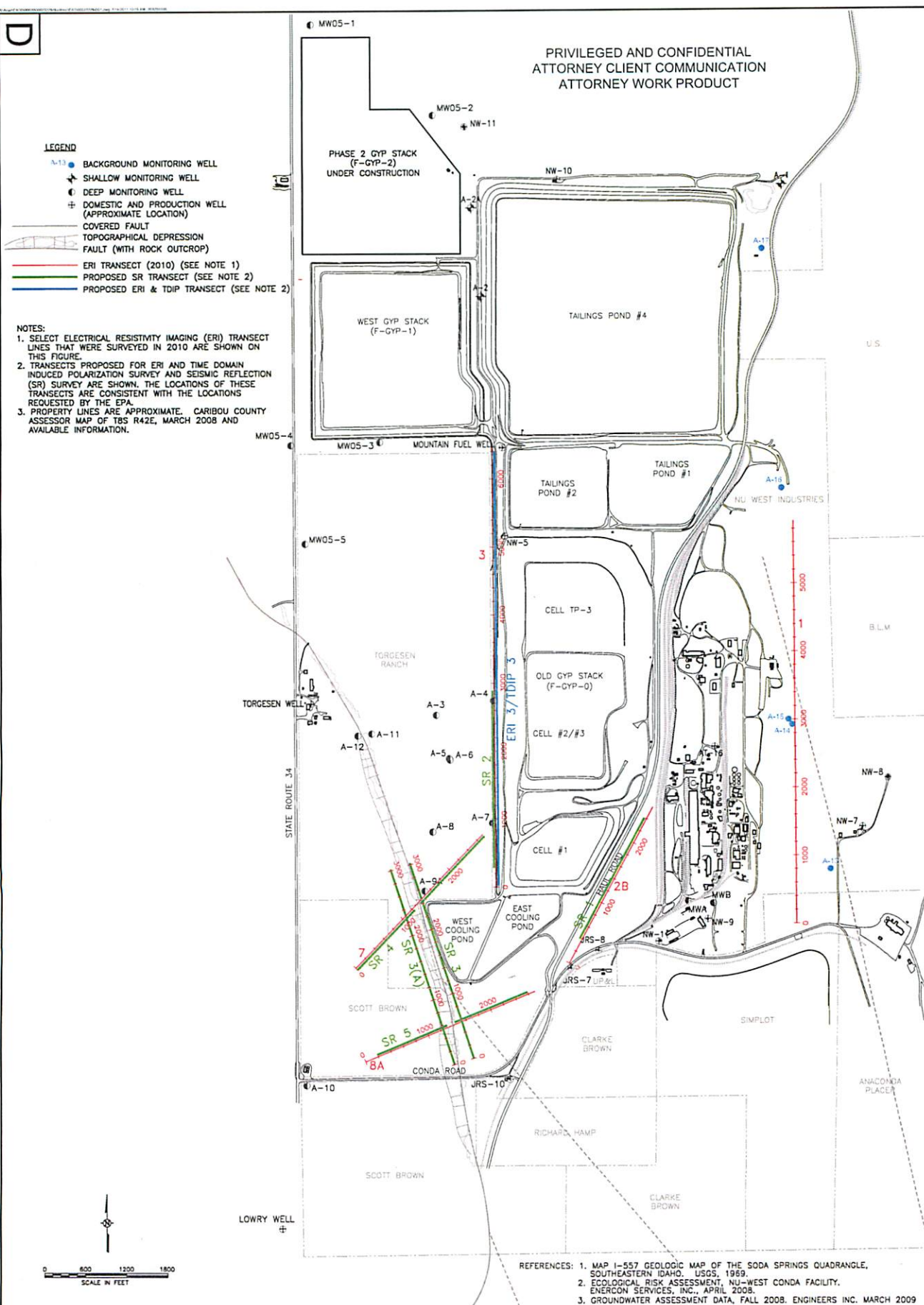
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ATTORNEY CLIENT COMMUNICATION
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LEGEND

- BACKGROUND MONITORING WELL
- SHALLOW MONITORING WELL
- DEEP MONITORING WELL
- ⊕ DOMESTIC AND PRODUCTION WELL (APPROXIMATE LOCATION)
- COVERED FAULT
- TOPOGRAPHICAL DEPRESSION
- FAULT (WITH ROCK OUTCROP)
- ERI TRANSECT (2010) (SEE NOTE 1)
- PROPOSED SR TRANSECT (SEE NOTE 2)
- PROPOSED ERI & TDIP TRANSECT (SEE NOTE 2)

NOTES:

1. SELECT ELECTRICAL RESISTIVITY IMAGING (ERI) TRANSECT LINES THAT WERE SURVEYED IN 2010 ARE SHOWN ON THIS FIGURE.
2. TRANSECTS PROPOSED FOR ERI AND TIME DOMAIN INDUCED POLARIZATION SURVEY AND SEISMIC REFLECTION (SR) SURVEY ARE SHOWN. THE LOCATIONS OF THESE TRANSECTS ARE CONSISTENT WITH THE LOCATIONS REQUESTED BY THE EPA.
3. PROPERTY LINES ARE APPROXIMATE. CARIBOU COUNTY ASSESSOR MAP OF TBS R42E, MARCH 2008 AND AVAILABLE INFORMATION.



- REFERENCES: 1. MAP I-557 GEOLOGIC MAP OF THE SODA SPRINGS QUADRANGLE, SOUTHEASTERN IDAHO. USGS, 1969.
2. ECOLOGICAL RISK ASSESSMENT, NU-WEST CONDA FACILITY. ENERCON SERVICES, INC., APRIL 2008.
3. GROUNDWATER ASSESSMENT DATA, FALL 2008. ENGINEERS INC. MARCH 2009

WSP
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BACKGROUND MONITORING
WELL LOCATIONS
NU-WEST CPO FACILITY
SODA SPRINGS, IDAHO
PREPARED FOR
HUNTON & WILLIAMS

DATE	BY	REVISIONS
10/1/2009	WSP	1.0
10/1/2009	WSP	1.1
10/1/2009	WSP	1.2
10/1/2009	WSP	1.3
10/1/2009	WSP	1.4
10/1/2009	WSP	1.5
10/1/2009	WSP	1.6
10/1/2009	WSP	1.7
10/1/2009	WSP	1.8
10/1/2009	WSP	1.9
10/1/2009	WSP	1.10
10/1/2009	WSP	1.11
10/1/2009	WSP	1.12
10/1/2009	WSP	1.13
10/1/2009	WSP	1.14
10/1/2009	WSP	1.15
10/1/2009	WSP	1.16
10/1/2009	WSP	1.17
10/1/2009	WSP	1.18
10/1/2009	WSP	1.19
10/1/2009	WSP	1.20

DATE	BY	REVISIONS
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10/1/2009	WSP	1.20